

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES

V.

CRIMINAL NO. 04 10044 MLW

EDWIN SERRANO

MOTION TO CONTINUE DATE OF SENTENCING

Sentencing is now scheduled in this case for Wednesday, February 22, 2006 at 3:00 p.m.

Defense counsel has been apprised by the Middlesex Superior Court Clerk's Office that the motions to vacate the defendant's convictions will be heard by Judge Zobel at 2:00 p.m. on Friday, February 24, 2006.

Also, that a *habeas corpus ad prosequendum* is issued to the United States Marshals.

Wherefore, the defendant moves that his sentence now scheduled for February 22, 2006 be continued to permit a hearing in the Middlesex Superior Court before Judge Zobel on February 24, 2006.

Accordingly, the defendant would suggest either March 21, 22, 23, or 24, 2006, for a sentencing hearing in this case.

The government (AUSA Peter Levett) assents to this motion.

/s/ Roger Witkin
Roger Witkin
6 Beacon Street, Suite 1010
Boston, MA 02108
Tel. 617 523 0027
Fax 617 523 2024
BBO No. 531780

DATE: February 8, 2006

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CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the within document was served upon the attorney of record for the United States, AUSA Peter K. Levitt and USPO Tricia Marcy by mail and electronic filing, which was e-filed this day.

/s/ Roger Witkin
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